

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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LR 32

SENATOR COORDSEN: I would remind the body that we are in Final Reading form. Senator Kristensen, on your amendment, please.

SENATOR KRISTENSEN: Thank you, Mr. President, members of the Legislature. Mr. Clerk, and I'm...I'm just looking. I want to make sure that's the amendment on the special election.

CLERK: It is the special election amendment, yes, sir.

SENATOR KRISTENSEN: Thank you. Members of the Legislature, and I assume Senator Withem, this morning, will talk about the agenda and what items are here. This particular amendment would take the constitutional amendment and put on that it would be held at a special election. Now a "special election" is the wording in the constitution, most of you know it as the primary election. The constitution itself does not speak in terms of having it at a primary election. It says that constitutional amendments are done either at a general election or a special election. Now we had a court case here recently that one of the challenges were that we didn't specifically set out that the constitutional amendments were held at a special election. What we did is we had 40 votes here in the Legislature, and then put that onto the primary election. The court didn't necessarily...they dismissed that case. This was the four amendments that were put on last year. There were obviously other objections to it and the court ruled on other grounds and didn't reach this issue. So the reason that the language is, and you will see it on a number of bills this morning is to move these things to the special election, which would be the primary, the next primary election, which I believe would be in 1998. It takes 40 votes to do so. This is the decision that the Legislature is going to make. It's also my assumption that we're going to do that with a number of these amendments this morning. And people have asked me, they said, well, how many...how many amendments have we put up in the past, and are we going to clutter the ballot? And part of this is going to be a decision that we have to make is how many of these amendments do we propose? Some of these, obviously, are going to be cleanups this morning, a few of them may be more substantive. The first time we used primary elections was in 1975; at that point in time we put in 18 different amendments on the primary election, and we put 16 on in the general election, excuse me,